

REMARKS

Claims 1, 3-5, 7, 8, and 10 are pending in the application. Claim 9 has been canceled.

Information Disclosure Statement

The Examiner states that the information disclosure statement filed January 29, 2009 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance.

In view of this, an English Abstract of JP3-97497 and JP57-96686 have been submitted herewith for Examiner's consideration. The Examiner is respectfully requested to initial and return the attached SB-08.

Claim Rejections - 35 U.S.C. § 112

Claim 1 has been rejected under 35 U.S.C. § 112, second paragraph, because of some antecedent basis problems.

In view of this, claim 1 has been amended to provide an antecedent basis to overcome this rejection.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 1, 3, 4, 9, and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hird (WO 01/071084) in view of Ando et al. (JP 2001-276484). This rejection is respectfully traversed.

Claim 1 has been amended to claim:

an imbalance correcting portion that performs a balance correction rinsing when

the imbalance is detected in the laundry tub at the time of spin-drying of the laundry tub by the sensing portion, the imbalance correcting portion selectively performing one of,

a first balance correction rinsing in which water containing no metal ion is supplied to the laundry tub when no metal ion was supplied to the laundry tub prior to the spin-drying rotation, and agitation is performed, and

a second balance correction rinsing in which water containing metal ion is supplied to the laundry tub when metal ion was supplied to the laundry tub prior to the spin-drying rotation, and agitation is performed.

This feature is disclosed in page 37, line 10 - page 41, line 17 of the specification of the present application.

In the Office Action, the Examiner alleges that Hird discloses a sensing portion for detecting imbalances in the textiles and imbalance correction portion for controlling an imbalance correction operation, and Ando discloses an ion eluting portion for electrolytically adding silver ions to water for its antibacterial effects.

Hird discloses in Fig. 4, a flowchart that shows an out of balance correction process. More specifically, in step 200, a usual washing and rinsing operation of a wash cycle is performed (page 7, lines 12-13). At the end of the wash cycle, rinse water is pumped from the drum while the drum slowly rotates, and the drum then performs a distribute operation (step 202) in which the drum is rotated at a speed of around 83rpm (page 7, lines 14-16). When it is determined, in step 204, that the load is sufficiently balanced, a spin cycle at a higher speed is performed (step 206). If the load is judged not to be sufficiently balanced, then, in step 208, a redistribution operation occurs (page 8, lines 17-21). Note that Hird does not disclose that water is added during the out of balance correction process.

Ando discloses, in paragraph [0004], supplying silver ion, as washing water, during a final washing process (the rinsing process) among a plurality of washing processes.

In view of this, even assuming that Hird and Ando can be combined, which Applicants do not admit, one skilled in the art would, at best, modify Hird, such that silver ion, as washing water, is supplied during the usual washing and rinsing operation of a wash cycle (step 200), and would not conceive providing the foregoing claimed features of the present invention. In view of this, Hird and Ando, taken singly or in combination, fail to disclose or suggest the “imbalance correcting portion,” as recited in claim 1.

Claims 3, 4, and 10, dependent on claim 1, are allowable at least for their dependency on claim 1.

Claim 9 has been canceled.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 5, 7, and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hird in view of Ando, and further in view of Jeon et al. (USP 6,286,344). This rejection is respectfully traversed.

Claims 5, 7, and 8, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.


The Examiner is respectfully requested to enter this Amendment After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Amendment After Final in that it places the application in better form for Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi Reg. No. 40,417 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: June 19, 2009

Respectfully submitted,

for By 
Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant